

Appln. No.09/865,601  
Amd. dated Spetember 2, 2003  
Reply to Office Action of May 1, 2003

REMARKS

The Examiner's action dated May 1, 2003, has been received; and its contents carefully noted.

**SUBMISSION OF PRIORITY DOCUMENTS**

Submitted herewith are certified copies of applicant's first-filed priority applications, for which priority rights under 35 U.S.C. 119 have been, and are herewith being, claimed. Acknowledgement of receipt of these documents is requested.

\* \* \*

The restriction requirement presented in the action has been noted. However, it must be pointed out that applicant did not provisionally elect to prosecute the invention of Species III, but rather elected to prosecute Species I, claims 2-8. Indeed, prior to the telephone conversation with Mr. Neimark on April 14, 2003, we received a letter from the client specifically instructing us to select the species of claims 2-8. Thus, the indication that Species III was provisionally elected is incorrect.

This matter was discussed with the Examiner via telephone, and the Examiner agreed to examine claims 2-8 and to not make the next office action final.

In order to advance prosecution, the specification has been amended to correct certain minor informalities noted therein and the claims have been amended to place them in better form. These amendments include the corrections suggested in Section 8 of the action.

In response to the formal rejection presented in Section 11 of the action, claim 1 has been amended to recite "an electrode or a collector." However, attention must be drawn to the fact that claim 1, line 1, does not recite a current collector. Rather, lines 1 and 2 recite a current collector separator. In other words, the phrase in line 1 "current collector" identifies the nature of the separator to which the invention is directed.

In view of the above explanation and the amendment to claim 1, it is requested that the rejection of that claim under 35 U.S.C. 112 be reconsidered and withdrawn.

In response to the rejection of claim 1 as anticipated by Quadakkers, that claim has been amended to specify that the corrosion-resistant layer is an anodized aluminum layer or a heat resistant polymer layer. The applied reference contains no disclosure of the use of such materials for a corrosion-resistant layer.

Accordingly, it is submitted that claim 1 is not anticipated by the applied reference and it is therefore

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requested that the prior art rejection of claim 1 be reconsidered and withdrawn. Since all of the remaining claims depend from claim 1, it is believed that all of the dependant claims should also now be considered allowable.

In view of the above, it is requested that the objections and rejections presented in the action be reconsidered and withdrawn, the election of species requirement be withdrawn in view of the presence of an allowable generic claim, and that the application be found in allowable condition.

If the above amendment should not now place the application in condition for allowance, the Examiner is invited to call undersigned counsel to resolve any remaining issues.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant

By

Jay M. Finkelstein

Registration No. 21,082

JMF:mch

Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528  
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